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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,512	12/18/2000	Jaquelyn Annette Martino	US000363***	3118

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Jack E. Haken
Corporate Patent Counsel
U.S. Philips Corporation
580 White Plains Road
Tarrytown, NY 10591

EXAMINER
NGUYEN, KIMNHUNG T

ART UNIT	PAPER NUMBER
2674	

DATE MAILED: 11/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/739,512	MARTINO ET AL.	
	Examiner	Art Unit	
	Kimnhung Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-19 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-19 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

This Application has been examined. The original claims 1-19 are pending. The examination results are as following.

Information Disclosure Statement

1. The examiner has considered the references listed in the information disclosure statement (IDS) filed 12/18/00 (Paper No.2) (See attached form PTO-1449).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (US patent 5,554,980) in view of Kahwaji (US patent 6,227,687).

4. Regarding claim 1, Hashimoto et al. disclose in figures 18-19, 35-36 and 71 that a user interface (figure 18) comprising a controller (remote controller 1) connected to a data store and programmed (control processor, 24, 324 figures 3, and 18-19) to perform an operation to the data sets (see column 19, lines 56-67), the controller having a receiver; at least one transmitter operatively associated with the user interface. However, Hashimoto et al. do not disclose at least two objects are beads and are connected by a wire. Kahwaji discloses that two object are beads

(100) consisting one data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings as taught by Kahwaji using least two object are beads consisting one data in the system device as taught by Hashimoto et al. because this would make position of each light source can be controlled by the consumer.

5. Regarding claims 2-3, Kahwaji further teaches that the two objects (100) are tokens connected by a wire (60) (see figures 1-2, column 2, lines 17-50). Claims 2-3 are dependent upon claim 1, and are rejected on the same reasons set forth in claim 1.

6. Regarding claims 4, Hashimoto et al. disclose in figures 18-19, 35-36 and 71 that a user interface (figure 18) comprising a console (remote controller 1), the console having a receiver; at least one transmitter operatively associated with the user interface (see column 20, lines 56-60). However, Hashimoto et al. do not disclose at least two objects are beads and are connected by a wire. Kahwaji discloses that two object are beads (100) consisting one data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings as taught by Kahwaji using least two object are beads consisting one data in the system device as taught by Hashimoto et al. because this would make position of each light source can be controlled by the consumer.

7. Regarding claim 5, Hashimoto et al. further teach the console (1) has a display (100, figure 1-3) and at least one control switch (128, figure 14). Claim 5 is dependent upon claim 4, and is rejected on the same reasons set forth in claim 4.

8. Regarding claims 6-19, Hashimoto et al. disclose in figures 1-3, 18-19, 35-36 and 71 that a user interface comprising a console having controller (1), transmitter and an interface, the controller being programmed as disclosed above, the console has at least on control switch (128,

figure 14) to which the command is responsive. However, Hashimoto et al. do not disclose that the console interoperable with the tokens, and wherein the tokens are beads connected by one flexible connectors. Kahwaji discloses the tokens are beads (100) connected by the connectors (see figures 1-2. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings as taught by Kahwaji using the tokens are beads in the system device as taught by Hashimoto et al. because this would make position of each light source can be controlled by the consumer.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number (703) 308-0425.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD A HJERPE** can be reached on **(703) 305-4709.**

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivery response should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kimnhung Nguyen
October 29, 2002

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600